

Sea Level Rise Advisory Committee Meeting

April 26, 2013



Delaware's Sea Level Rise Initiative



Meeting Goals

- Agree Upon Timeline for Completion of Adaptation Plan
- Determine changes or deletions necessary to *existing* options to move them forward for final approval
- Determine whether to add any *new* options based on public comments
- Determine how to proceed with *funding* options

A SLR Adaptation Plan for Delaware

- A call to Action
- A document that explains, informs and guides adaptation responses
 - ✓ Guiding Principles
 - ✓ Case Studies
 - ✓ Builds in Flexibility
- Outlines recommendations to to build capacity to adapt to sea level rise



Proposed Timeline

Date	Milestone
April 26	SLRAC determines general path forward for Options
May 6	Revised Options and Guiding Principles to SLRAC for Review
May 23	SLRAC Vote to approve list of Options as Recommendations and set of Guiding Principles
June 7	First draft of document emailed to SLRAC
June 28	Comments on first draft due to DCP, and Dissenting Opinions
July 15	Final Draft Adaptation Plan to SRLAC for final review
Aug 15	Final Approval of Document (and cake!)
Sept 30	Document formatted and printed and ready for Public Release and/or Press Event and more cake.



Options into Recommendations

■ 2 types of Options

✓ Existing

- *Have been reviewed by public*
- *Discussed previously by SLRAC*

✓ New

- *Resulted from public comments*
- *Not yet discussed in detail by SLRAC (including funding)*

■ Voting Procedures

- ✓ Entire list at once
- ✓ Individually
- ✓ Nominate those that require line-item votes



Review of Public Comments

- 56 written comments received
 - ✓ Reviewed, compiled and summarized by staff
- Overarching Comments for Adaptation Plan Format
 - ✓ Organization and Prioritization of Options
 - ***Suggest Resource based “action plan” organization***
 - ***Options ID’d for “priority action” in comment summary***
 - ✓ Inclusion of Climate Change, Storms and mitigation
 - ***Can include language about the Division of Energy and Climate’s work and strong link to storm preparedness***
 - ✓ Inclusion of “recommendations” rather than options
 - ✓ General desire for the question of funding to be addressed
- Others??

Recommended for Deletion and Incorporation

- **Delete the following and Incorporate into Option # 57:** Provide land managers, fisheries managers and farmers with the information and extension support necessary to manage lands and fisheries in areas affected by sea level rise
 - ✓ **Option #7** Provide sea level rise information to the Delaware Agricultural Land Preservation Program for consideration
 - ✓ **Option #8** Provide technical assistance to Delaware's Open Space Council for incorporating sea level rise into its criteria for acquisition of natural areas.
 - ✓ ***The DE Ag Lands Preservation Program and the Open Space Council are both land manger/farmer organizations who would be provided support if # 57 were implemented***



Recommended for Deletion and Incorporation

- **Delete the following and Incorporate into Option # 2:** Increase opportunities for technology transfers and regional coordination for transportation issues affected by sea level rise.
 - ✓ **Option # 3:** Develop a Federal Highways Administration climate change framework
 - ✓ **Option # 9:** Encourage the establishment of a sea level rise group within American Association of State Highway Transportation Officials
 - ✓ ***The climate change framework and sea level groups proposed in #3 and #9 are specific actions that would accomplish the goal of increasing options for tech transfers and regional coordination***



Recommended for Deletion and Incorporation

- **Delete the following and Incorporate into Option # 25:** Conduct a legal review for disinvestment of publically owned infrastructure and privately owned buildings.
 - ✓ **Option # 26:** Consider use of a Transfer of Development Rights tool to direct future growth away from vulnerable areas.
 - ✓ ***Option #25 and #26 are closely linked and can be combined into one Option that would achieve legal reviews not only for disinvestment but also for land use tools and potentially new strategies for funding retreat or avoidance options.***



Recommended for Deletion and Incorporation

- **Delete the following and incorporate into Option #61: Develop a database of costs of adaptation options for use by decision-makers and the public**
 - ✓ **Option # 60: Conduct a cost benefit analysis for adaptation**
 - ✓ **These two options are closely linked and including info on **cost**-benefit into the cost database would provide added value/benefit for users.**



Recommended for Deletion and Incorporation

- **Delete the following and incorporate into Option # 59, Develop best management practice manuals for adaptation in Delaware.**
 - ✓ **Option # 12:** Develop local land use ordinances that encourage consideration of the effects of sea level rise in the siting and maintenance of public infrastructure.
 - ✓ *Option 12 is focused on providing guidance for local governments for infrastructure siting, which could be accomplished with a best management practice guide*



For Discussion and Decision

- Option # 14: Encourage the Gov to sign an Executive Order that would direct state agencies to plan for SLR
 - ✓ Several commenters asked for this to be strengthened to include
 - *establishment of a Cabinet level council*
 - *Appointment of high level official to oversee implementation*
 - ✓ DCP Suggestion: include the establishment of implementation committee in EO



For Discussion and Decision

- **Option # 16: Evaluate the state Coastal Zone Act Regulations for changes that would increase flexibility for industries to adapt their shorelines and facilities to sea level rise.**
 - ✓ *Commentor did not want to see Act weakened*
 - ✓ *Some wanted to see CZA also consider SLR and CC in permit review*
 - ✓ ***DCP Suggestion: Retitle to “Consider sea level rise implications in future regulatory updates for the Coastal Zone Act” to remain consistent with other options for regulations***



For Discussion and Decision

- **Option # 35: Improve the ability of homebuyers to investigate a property's potential vulnerability to sea level**
 - ✓ *Lots of comments pro and con*
 - ✓ *DCP Suggestion: Delete Disclosure requirements, keep educational component*
 - ✓ *Question for committee if deleted, should it be mentioned that we discussed it at length and decided not to pursue at this time?*



Next Phase: Implementation

- Disband SLRAC after completion of Adaptation Plan
- Hold Implementation “workshop”
 - ✓ Prioritize/select pre-requisites
 - ✓ Flesh out add’l details who, how much, when, and barriers
- Convene new group of interested agencies and stakeholders to work on implementation, write grants, etc.

Guiding Principles - Draft

- Begin adaptation planning and implementation. Adjust and make improvements as more information is available.
- Avoid unnecessarily prescriptive adaptation actions. Allow decisions at the local level.
- Incorporate adaptation into existing programs and mechanisms (so as to not create a new bureaucracy)
- Engage broad public participation in adaptation decisions.
- Use the best available science and technology for decision-making and adaptation actions.
- Coordinate and consider consequences of adaptation between jurisdictions and resource types
- Strike a balance between protection of homes, infrastructure and conservation of natural resources
- Strive for equality in selection and funding of adaptation actions
 - ✓ Consider impacts to environmental justice communities
 - ✓ Consider trade-offs between adaptation projects up-state and down-state



New Ideas for Options from Public Comments

- Include SLR in Hazard Mitigation Plans
- Amend the Beach Preservation Act
- Modernize Urban Sewer Systems
- Give DNREC Authority to Regulate buildings in the 100-year flood plain
- Create SLR Inundation Certification, like flood elevation certificate
- Increase non-tidal wetlands protection
- Work with Insurance Commissioners Office for flood insurance info for consumers
- No government action
- Others we missed?



The Funding Discussion

- 4 Choices

- ✓ Do not include any recommendations about funding
- ✓ Include some funding considerations in the Guiding Principles for Adaptation
- ✓ Include recommendations about funding
- ✓ Include funding in Guiding Principles and Recommendations

Funding Comments

- New and Revised Revenue Streams
 - ✓ Taxes
 - ✓ Fees
- Incentive/Disincentive Programs
- General Principles for spending money
- New Innovative Financial strategies



Deleted Funding Options

“Expand funding opportunities for adaptation planning and implementation projects”

- Modify the Hotel Accommodations Tax to increase funds
- Revise Strategies for State Spending to allow State Revolving Fund (SRF) and other public funding to be allocated for projects in Level 4 areas.
- Create Revolving Loan Fund for adaptation responses
- Consider use of Regional Greenhouse Gas Initiative (RGGI) funds for adaptation actions in industrial areas
- Evaluate the federal Farm Bill or farmland conservation programs to identify financial compensation to encourage wetland migration on farmlands adjacent to wet areas.
- Possible, broad funding sources: Total Maximum Daily Load funds, Cancer Settlement Funds, Hazardous Substance Cleanup Act funding, MAP-21, New Energy Bill (?)
- Increase funding availability for the Port of Wilmington



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